

JODY A. LANDRY, Bar No. 125743
LITTLER MENDELSON
A Professional Corporation
501 W. Broadway, Suite 900
San Diego, CA 92101
Telephone: 619.232.0441
Facsimile: 619.232.4302
E-mail: jlandry@littler.com

E-FILED 01/19/11

JS-6

NOTE CHANGES MADE BY THE COURT.

MICHAEL G. LEGGIERI, Bar No. 253791
LITTLER MENDELSON
A Professional Corporation
2520 Venture Oaks Way, Suite 390
Sacramento, CA 95833
Telephone: 916.830.7200
Facsimile: 916.848.0200
E-mail: mleggieri@littler.com

Attorneys for Defendant
SEARS, ROEBUCK AND CO.; A&E FACTORY
SERVICE, LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAN VILLASENOR,
Plaintiff,

v.

SEARS, ROEBUCK & CO.; A&E
FACTORY SERVICES, LLC; and
DOE CORPORATIONS 1-5,

Defendant.

Case No. CV 09-9147 PSG (FFMx)

~~PROPOSED~~ JUDGMENT

Hon. Philip S. Gutierrez
Date: January 10, 2011
Time: 1:30 p.m.
Courtroom: 880

Complaint Filed: November 5, 2009
Trial Date: February 8, 2011

JUDGMENT

On January 10, 2011, in Courtroom 880 of the above-entitled Court, the Motion of Defendant Sears, Roebuck and Co. ("Sears") for Partial Summary Judgment and the Motion of Defendant A&E Factory Service, LLC ("A&E") for Summary Judgment came on regularly for hearing in the above-captioned matter.

The Court, having determined pursuant to Rule 56 of the Federal Rules of Civil Procedure that there is no genuine issue as to any material fact and that Defendants are entitled to judgment as a matter of law as requested, and having granted Sears' Motion for Partial Summary Judgment and A&E's Motion for Summary Judgment,

HEREBY ORDERS, ADJUDGES AND DECREES that judgment be entered as follows:

(1) In favor of Defendant Sears:

(a) as to Plaintiff's first, second, and third claims for relief in their entirety;


(b) as to Plaintiff's fourth and fifth claims ~~for relief to the extent they are based on any alleged conduct that occurred prior to July 24, 2006; and~~ **in their entirety;**

(c) ~~as to Plaintiff's fifth claim for relief to the extent it is based on any alleged discriminatory or retaliatory conduct.~~

(2) In favor of Defendant A&E as to all claims.

The Court further orders that in respect to the judgment entered above, that Plaintiff Dan Villasenor take nothing and that the parties bear their own attorneys fees and costs.

Dated: 01-19-11


HON. PHILIP S. GUTIERREZ
United States District Judge

Firmwide:98675195.1 016144.1278